

APPROVED

Express Mail Number:

EL988725939US

Date Deposited:

10/16/2003

for
DEPOSIT ACCOUNT CHARGE
ACCOUNT# 00-1700

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

DUNLAP CODDING & ROGERS, P.C.

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

8404.009

First Inventor

Donald E. Weder

Title

METHOD OF CONTAINING A BOTANICAL ITEM AND GROWING MEDIUM

Express Mail Label No.

EL988725939US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Appl., Comm. for Patents

PO Box 1450

Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 67]
(Preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description - Redline Specification 69 pgs
 - Claim(s) - Clean Specification 63 pgs
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 23]
5. Oath or Declaration [Total Pages 4]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: See Below

18. This application is:

☒ Continuation☐ Divisional☐ Continuation-in-part (CIP)

of prior application No.: 10/126,071

Prior application information:

Examiner S. Gerrity

Group Art Unit: 3721

☐ As a CON, DIV, or CIP, this application contains one or more changes to (1) the specification; (2) drawings; or (3) claims in the above-identified prior application. A red-line version of the application showing these changes will be made available to the examiner upon request.

19. CORRESPONDENCE ADDRESS

☒

Customer Number or Bar Code Label

30589

(Insert Customer No. or Attach bar code label here)

or ☐

Correspondence address below

Name

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Christopher W. Corbett

Registration No. (Attorney/Agent)

36,109

Signature

Date

10/16/03

SEND TO:

Mail Stop Patent App
P.O. Box 1450
Alexandria, VA 22313-1450

17) 1. Utility Patent Application Transmittal (1 page); 2. Fee Transmittal (1 page) Authorizing the Commissioner to charge indicated fees of \$770.00 (\$770.00 for Basic filing fee) or any additional fee required under 37 C.F.R. 1.16 and 1.17 and/or credit any overpayments to Deposit Account Name Dunlap, Coddling & Rogers, P.C.; 3. Patent Application Fee Determination Record (1 page); 4. Complete Application for Publication (67 pages) (Continuation of USSN 10/126,071, filed 04/18/2002) Including: (A) Specification (63 pages); (B) 5 Claims (3 pages); (C) Abstract (1 page); (D) 4 pages of Combined Declaration and Power of Attorney (from prior application); and (E) 24 sheets of formal drawings with labels identifying indicia (37 CFR 1.84©)); 5. Remarks Accompanying the Complete Application for Publication (69 pages) 6. 23 sheets of Redline Drawings; 7. Information Disclosure Statement (4 pages); 8. Form PTO-1449 (9 pages); and 9. Return Receipt Postcard.

*The Assignment for this case is the same as recorded in the prior application at Reel 7795, Frame 0753, as well as the Power of Attorney and 37 CFR 3.73(b) Statement.

17548 U.S. PTO
10/686700
10/16/03

Express Mail No.: EL988725939US
Date Deposited: 10/16/2003

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PTO/SB/17 (10-02)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 770

Complete if Known

Application Number	Not Yet Assigned
Filing Date	Herewith
First Named Inventor	Donald E. Weder
Examiner Name	S. Gerrity
Art Unit	3721
Attorney Docket No.	8404.009

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None

☒ Deposit Account:

Deposit Account Number: 04-1700
Deposit Account Name: Dunlap, Coddling & Rogers, P.C.
Customer No. 30589

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	770
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 770

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims: 5 - ** = 5 X Fee from below = \$0
Independent Claims: 1 - ** = 1 X Fee from below = \$0
Multiple Dependent: - ** = - X Fee from below = \$0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Christopher W. Corbett	Registration No. (Attorney/Agent)	36,109	Telephone	(405) 607-8600
Signature		Date	10/16/2003		

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450, Alexandria, VA 22313-1450

SEND TO:

EXPRESS MAIL NO.: EL988725911US
DEPOSITED ON: October 16, 2003

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Donald E. Weder

Serial No.: 10/126,071

Atty. Dkt. No.: 8403.567

Filed: 04/18/2002

Examiner: S. Gerrity

**For: METHOD OF CONTAINING A
BOTANICAL ITEM AND
GROWING MEDIUM**

Group No.: 3721 (Conf. No.: 2933)

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

COPY

**NOTIFICATION OF FILING OF CONTINUING
OR DIVISIONAL APPLICATION**

Notification is hereby being made of the filing of a:

☒ continuation (Atty. Dkt. No.: 8404.009)

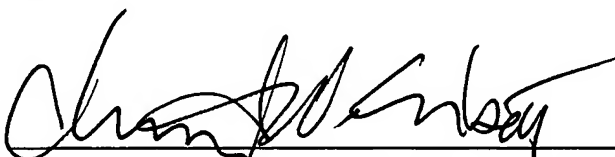
☐ continuation-in-part

☐ divisional

application for this case

☒ concurrently herewith

☐ on _____
(date)



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